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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,404	07/01/2005	Krishna Prasad Panje	NL 030025	6646

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EXAMINER	
NGUYEN, KHAI MINH	
ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
12/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/541,404	PANJE, KRISHNA PRASAD	
	Examiner	Art Unit	
	Khai M. Nguyen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. In view of the Appeal brief filed on 9/4/2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Rafael Pérez-Gutiérrez.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5 and 7-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulshi et al. (U.S.Pat-7146179) in views of Murashita (U.S.Pub-20020186412).

Regarding claim 1, Parulski teaches a method of obtaining positional information of a mobile phone carrier (fig.1) and linking said positional information to position specific multimedia content of a multimedia device (fig.6), the method comprising the steps of:

obtaining position information of a mobile phone (fig.1) of the mobile phone carrier based on a position detection of the mobile phone (abstract, col.1, line 59-64); and

linking the mobile phone (fig.6) position information to said position specific multimedia content at a WAP portal (fig.6, photo phone 12, abstract, col.4, lines 48-51).

Parulski fails to specifically disclose a WAP portal. However, Murashita teaches a WAP portal (fig.27, content server 204, [0021]-[0022]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Murashita to Parulski to provide a method for determining the location of a mobile terminal.

Regarding claim 2, Murashita to Parulski further teach a method according to claim 1, wherein the method further comprises the step of receiving

identification of said position specific multimedia content from the mobile phone carrier (see Parulski, abstract, col.3, lines 4-7).

Regarding claim 3, Murashita to Parulski further teach a method according to claim 1, wherein the method further comprises the step of receiving position specific multimedia content from the mobile phone carrier (see Parulski, abstract, col.3, lines 4-7).

Regarding claim 4, Murashita to Parulski further teach a method according to claims 1, wherein the position specific multimedia content is recorded by said multimedia recording device at said position of the mobile phone carrier (see Parulski, abstract, col.3, lines 4-7, see Murashita, [0123]).

Regarding claim 5, Murashita to Parulski further teach a method according to claim 4, wherein the method further comprises the step of receiving properties of said multimedia device from the mobile phone carrier (see Parulski, abstract, col.3, lines 4-7, see Murashita, [0056]).

Regarding claim 7, Murashita to Parulski further teach a method according to claims 1, wherein the method further comprises the step of sorting the multimedia content according to a sorting criterion (see Murashita, [0056], [0112]-[0113]).

Regarding claim 8, Murashita to Parulski further teach a method according to claim 7, wherein the sorting criterion is based on properties extracted from the position information (see Murashita, [0056], [0112]-[0113]).

Regarding claim 9, Murashita to Parulski further teach a method according to claim 7, wherein the sorting criterion is selected by the mobile phone carrier and received from the mobile phone (see Murashita, [0056], [0112]-[0113]).

Regarding claim 10, Murashita to Parulski further teach a method according to claim 1, wherein the detection of the position information of the mobile phone is performed periodically after receiving said request from the mobile phone (see Parulski, col.6, line 52 to col.7, line 6).

Regarding claim 11, Parulski teaches a system for obtaining positional information of a mobile phone carrier and linking said positional information to position specific multimedia content of a multimedia device, the system comprising:

mean for obtaining position information of a mobile phone (fig.1) of the mobile phone carrier based on a position detection of the mobile phone (abstract, col.1, line 59-64); and

means for linking the mobile phone (fig.6) position information to said position specific multimedia content at a WAP portal (not show) (fig.6, photo phone 12, abstract, col.4, lines 48-51).

Parulski fails to specifically disclose a WAP portal. However, Murashita teaches a WAP portal (fig.27, content server 204, [0021]-[0022]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made to apply the teaching of Murashita to Parulski to provide a method for determining the location of a mobile terminal.

Regarding claim 12, Murashita to Parulski further teach a system according to claim 11, wherein the multimedia device is a camera (see Murashita, abstract).

Regarding claim 13 is rejected with the same reasons set forth in claim 4.

Regarding claim 14 is rejected with the same reasons set forth in claim 1.

Regarding claim 15 is rejected with the same reasons set forth in claim 1.

Regarding claim 16 is rejected with the same reasons set forth in claim 7.

Regarding claim 17, Murashita to Parulski further teach a system according to claim 11, wherein the mobile phone position information is transmittable from the WAP portal (see Murashita, fig.27, content server 204, [0021]-[0022]) to the multimedia device via the mobile phone (see Parulski, fig.6, photo phone 12, abstract, col.4, lines 48-51).

Regarding claim 18, Murashita to Parulski further teach a system according to claim 11, wherein the mobile phone position is an HTTP link generated by the WAP portal (see Parulski, fig.7), which has said mobile phone position information (see Parulski, fig.6, photo phone 12, abstract, col.4, lines 48-51).

Regarding claim 19, Parulski teaches a system for obtaining position information of a mobile phone carrier and linking said position information to position specific multimedia content recorded by a multimedia device, the system comprising:

obtaining position information of a mobile phone (fig.1) of the mobile phone carrier based on a position detection of said mobile phone (abstract, col.1, line 59-64),

communication means for communicating between said mobile phone (fig.1) and said multimedia device (fig.6, photo phone 12, abstract, col.4, lines 48-51), and

means for linking the mobile phone position information to said position specific multimedia content (fig.6, photo phone 12, abstract, col.4, lines 48-51).

Parulski fails to specifically disclose a WAP portal. However, Murashita teaches a WAP portal (fig.27, content server 204, [0021]-[0022]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Murashita to Parulski to provide a method for determining the location of a mobile terminal.

Regarding claim 20, Murashita to Parulski further teach Claim a system according to claim 19, further comprising a WAP portal accessible by said mobile phone (see Murashita, fig.27, content server 204, [0021]-[0022]), wherein the mobile phone position information is transmittable from the WAP portal to the

multimedia device via the mobile phone through said communication means (see Parulski, fig.6, photo phone 12, abstract, col.4, lines 48-51).

Regarding claim 21, Parulski teaches a method of obtaining position information of a mobile phone carrier and linking said position information to position specific multimedia content recorded by a multimedia device, the method comprising the steps of:

obtaining position information of a mobile phone of the mobile phone carrier based on a position detection of the mobile phone (abstract, col.1, line 59-64)'

linking the mobile phone position information to said position specific multimedia content based on communication between said mobile phone (fig.1 and 6, photo phone 12, abstract, col.4, lines 48-51) and said multimedia device (fig.6, photo phone 12, abstract, col.4, lines 48-51).

Parulski fails to specifically disclose a WAP portal. However, Murashita teaches a WAP portal (fig.27, content server 204, [0021]-[0022]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Murashita to Parulski to provide a method for determining the location of a mobile terminal.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulshi et al. (U.S.Pat-7146179) in view of Murashita (U.S.Pub-20020186412), and further in view of Robarts et al. (U.S.Pub-20040002843).

Regarding claim 6, Murashita to Parulski further teach a method according to claims 1.

However, Murashita and Parulski fail to specifically disclose wherein the step of detecting the position information of the mobile phone also comprises detecting the magnetic orientation of the mobile phone carrier. However, Robarts teaches wherein the step of detecting the position information of the mobile phone also comprises detecting the magnetic orientation of the mobile phone carrier ([0084]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Robarts to Murashita and Parulski to provide enhanced computer- and network-based methods and systems for interacting with simulated phenomena using mobile devices.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on 571.272.7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khai Nguyen
Au: 2617

12/1/2007

CHARLES N. APPIAH
SUPERVISORY PATENT EXAMINER